

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DARREN LEE SMITH,

Plaintiff,

v.

CAPITAL ONE BANK (USA),

Defendant.

CASE NO. 3:21-CV-5867-RSL

ORDER GRANTING APPLICATION  
TO PROCEED IN FORMA PAUPERIS  
AND RECOMMENDING REVIEW

Because Plaintiff does not appear to have funds available to afford the \$400 filing fee, Plaintiff financially qualifies for *in forma pauperis* (IFP) status pursuant to 28 U.S.C. § 1915(a)(1). Therefore, Plaintiff's IFP application (Dkt. 4) is GRANTED. However, based on the allegations in the proposed complaint and Plaintiff's previous dismissal of this same claim without prejudice, it is unclear if Plaintiff has adequately stated a claim. *See* Case No. 3:21-CV-5151-RSL. Therefore, the undersigned recommends review under 28 U.S.C. § 1915(e)(2)(B).

The Clerk of the Court is directed to send a copy of this Order to Plaintiff and to the District Judge assigned to this case.

Dated this 13th day of December, 2021.



David W. Christel  
United States Magistrate Judge